

**ENTERED**

September 01, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

THEODORE KHANISHO,

**Plaintiff,**

**V.**

**SHERIFF OSCAR RIVERA, GRACIE  
ALANIZ-GONZALES, TAMARA  
COCHRAN-MAY, HEATHER B.  
MARKS, HEATHER COFFIN, CHRIS  
GALE, and SAN PATRICIO COUNTY  
SHERIFF DEPARTMENT,**

## Defendants.

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**Civil Action No. 2:22-CV-00233**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the August 7, 2023 Memorandum and Recommendation (“M&R”) prepared by Magistrate Judge Mitchel Neurock. (Dkt. No. 44). Magistrate Judge Neurock made findings and conclusions and recommended that Plaintiff’s application to proceed in forma pauperis on appeal, (Dkt. Nos. 36, 38, 39), be denied. (Dkt. No. 44).

The Parties were provided proper notice and the opportunity to object to the M&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

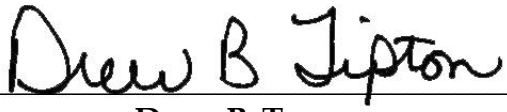
Accordingly, the Court accepts the M&R and adopts it as the opinion of the Court.

It is therefore ordered that:

- (1) Magistrate Judge Neurock's M&R, (Dkt. No. 44), is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff's application to proceed in forma pauperis on appeal, (Dkt. Nos. 36, 38, 39), is **DENIED**.

It is SO ORDERED.

Signed on August 31, 2023.

  
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DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE